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Farewell to Bob Botkins

Ontonagon County Friend of the Court

Robert “Bob” Botkins retired on April 1, 2007, after nearly 20 years as the Ontonagon County Friend of the Court (FOC) Director. In a recent letter to Bob, Michigan Supreme Court Chief Justice Clifford Taylor extended congratulations and expressed gratitude on behalf of the Supreme Court and the entire Michigan judiciary. The letter called Bob “a true friend to the judicial system . . . and to the persons whose lives have been affected by the judicial process.”



Sherill and Bob Boktins

Bob also received a special tribute from the State of Michigan honoring his years of conscientious public service. The tribute document was signed by State Representative Michael Lahti, State Senator Michael Prusi, and Governor Jennifer Granholm. Bob’s retirement has prompted accolades from throughout the state.

The *Pundit* spoke with Bob about his career as an FOC. Measured by its population (7,363), Ontonagon County is among Michigan’s smallest counties. The FOC office consists of the director and three full-time employees. There are no referees. The Honorable Roy D. Gotham is the chief judge of the 32nd Circuit Court, which, in addition to Ontonagon County, also includes Gogebic County.

Bob Botkins is a United States Marine Corps veteran who previously served as an Ontonagon County sheriff’s deputy and undersheriff before joining the FOC office. He chose a career in child support because he is proactive and the FOC position fit his philosophy.

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Introducing Jeffery Mark Rule, Ontonagon County Friend of the Court

Jeffery Mark Rule became the director of the Ontonagon County Friend of the Court (FOC) office on April 2, 2007, replacing retiring director, Robert (Bob) Botkins.

Jeff earned a Bachelor of Science degree in Criminal Justice and Sociology from Northern Michigan University. He then worked as a deputy sheriff for 11 years prior to becoming the director of the Ontonagon County FOC office. He and his wife have three children.



Jeffery Rule Dayle Laziwc Bob Botkins Mary Roehm

Jeff chose a career in child support because he enjoys being involved with youth and helping to ensure that the “best interests of children” remains a high priority for the legal system.

Suzanne Hoseth Kreeger Ionia County Friend of the Court

Suzanne Hoseth Kreeger has served as the Ionia County Friend of the Court for 16 years. Ionia County is part of a two-county circuit that has two judges who rotate periodically between those counties. There are 12 full-time and 2 part-time employees who serve the 65,000 residents of Ionia County and manage about 5,000 open child support cases. The average family income in Ionia County is \$43,780 per year, but the average income among persons with child support and custody cases in Ionia is lower than that figure. The Michigan Department of Corrections is the county’s largest employer.

Suzanne has a B.A. degree in English and Political Science from Calvin College and a Juris Doctor degree from Thomas M. Cooley Law School. She practiced both family law and criminal law as a private attorney before being appointed as the Ionia County Friend of the Court. Suzanne feels a strong commitment to families and children and has a love of family law that started while she was in law school. The most satisfying aspect of her work is getting parents to communicate well and reach consensus concerning their children—especially after a difficult or traumatic separation. Even after 16 years, she continues to find her work challenging and rewarding.

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Introducing Katie Nielsen, FOCB Customer Service Clerk

Katie Nielsen became the newest customer service clerk at the Friend of the Court Bureau in March 2007. Katie is a second year law student at Michigan State University College of Law. She received her B.A. degree from MSU in political theory and constitutional democracy. Raised in northern Michigan, Katie plans to remain in the Lansing area after she receives her J.D. degree in May 2008. Katie is a member of the Family Law Society and intends to pursue a career in family law because she finds it rewarding and enjoys helping people resolve difficult family issues through the legal process.

Interstate Corner: Questions and Answers

Question: *A Michigan friend of the court office receives a request from an out-of-state resident to initiate a child support review or to seek local modification of a Michigan final support order. None of the parties or the children supported by the order remain in Michigan. Should the FOC office initiate a review?*

Answer: The short answer is “No.” Let’s look at two scenarios:

1. Has another state modified Michigan’s support order? When another state has registered and modified Michigan’s support order, MCL 552.1224(2) requires recognition that the other state has assumed continuing exclusive jurisdiction and bars Michigan from exercising continuing jurisdiction to modify the order.
2. If another state has not modified Michigan’s support order, the continuing authority of a Michigan court to modify that order is questionable. The Uniform Interstate Family Support Act suggests that when all of the parties and children no longer reside in Michigan, jurisdiction is no longer exclusive and Michigan courts should not exercise continuing jurisdiction by modifying the support order. The federal Full Faith and Credit for Child Support Orders Act (FFCCSOA) contains similar language (28 USC 1738B).

FFCCSOA requires that the party seeking a modification register the child support order in a state that has jurisdiction over the other party. This law also bars a person from seeking modification in a state in which neither party nor the child lives. If Michigan modifies the order after the parties and children have left the state, the modified order may be void due to a lack of subject-matter jurisdiction—a trend in appellate rulings in other states.

So how should FOCs handle motions for modifications when both the parties and their children have left Michigan? They shouldn’t. To do so violates FFCCSOA, permits a party to circumvent federal law, and may cause the resulting order to be void or voidable due to lack of subject-matter jurisdiction. The FOC office should deny the request and tell the moving party that FFCCSOA requires them to register the order and seek its modification in a state with jurisdiction over the other party.

Farewell to Bob Botkins, continued from page 1

Bob wore many hats during his tenure. In addition to his supervising the office, Bob conducted all of the custody and parenting time investigations. He says that this aspect of his job was the most satisfying because it allowed him to help children by resolving nasty disputes between their parents. Seeing the look of gratitude on a child's face made Bob's job worthwhile. Explaining the difference between this part of the job and child support enforcement, Bob said that "child support affects the income split between the adults, whereas custody and parenting time investigations allow you to consider the child. Kids are the name of the game. They have always been my top priority."

During Bob's many years of service, he gained insight and wisdom that he would like to share with people entering the child support field. He encourages child support professionals to make the children their top priority. He also encourages child support professionals to treat all parents with respect—and to expect the same in return. Bob recommends making every possible out-of-court effort to diffuse situations in which emotions run high and everyone is frustrated. Try never to demean the parents, but control the situation in a polite and professional manner. Bob encourages FOC personnel to make every attempt to prevent the enormous stresses that they sometimes face on the job from affecting their personal lives at home.

During his two decades of FOC service, Bob saw many significant changes to the child support system, most notably the increased state and federal involvement. When Bob began as an FOC, his office was almost autonomous. Now, almost everything it does is governed by state and federal statutes and regulations. He noted that the implementation of MiCSES is one positive change to the child support system. Although MiCSES has flaws that need to be fixed, he believes that MiCSES will ultimately prove its worth.

Over the last 20 years, Bob has thought about several changes to the child support system that he would make if given the opportunity. First, he would revert back to the days before the Michigan Child Support Guidelines. He says that it is difficult to work within the guidelines, especially in low-population, rural areas where the average income is significantly lower than in most larger, more-populated counties. Bob believes an income-percentile approach rather than the current guideline approach might be more appropriate. Lastly, Bob would require that feuding parents take parenting classes that would teach them how to make their children their highest priority.

Bob paraphrases Mark Twain by advising people to always do the right thing because "it astonishes most people, and at least surprises everyone else." What does the future hold for Bob? He plans to do some cross-country traveling with his wife, Sherill. He also wants to get back to nature by gardening and fishing — two activities that he loves, but just hasn't had the time for. Regardless of how Bob chooses to spend his time, he will do everything with gusto, a sense of humor, and the best wishes of his friends and colleagues across the state.

Susan Hoseth Kreeger, continued from page 2

Suzanne encounters a variety of child support issues and questions every day. When asked to illustrate a common litigant misperception, she said that many litigants mistakenly believe that there will be no child support order if they have joint physical custody. In fact, the Michigan Child Support Formula recommends support be ordered in such cases. Suzanne works hard to educate litigants about child support. She feels that the best thing about the Michigan FOC System is its holistic approach, designed to make sure that parenting time and child support are in balance.

Major concerns for the Ionia County FOC office include future funding for the FOC office in light of Michigan's struggling economy. The combination of local funding issues and Michigan's general economic downturn is dangerous for children. More funding would allow Suzanne to employ a larger staff and thus better serve the needs of the families who are struggling with job losses and economic difficulties. Demand for FOC services is greatest when the economy is bad, and the bad economy makes it difficult to provide these services because of funding decreases. Suzanne says that even if she doubled her staff, the office could still be overwhelmed with work. That is a critical challenge.

Suzanne is very proud of her office and its programs. Ionia County has a Parenting Coordination Team that was started with an Access and Visitation Grant from the State Court Administrative Office. The team consists of a therapist, an attorney, and a psychologist. The team serves a small caseload of high-conflict families. It has had great success stabilizing those families and helping them learn to co-parent effectively.

The Ionia County FOC office also partners with the Michigan Department of Human Services on supervised parenting time. The two agencies have built good working relationships with local therapists and psychologists who provide therapeutic parenting time and supervised parenting time to families who need it.

The Ionia County FOC office is located in downtown Ionia, across from the main courthouse. It provides free parking and is open from 8:30 AM until 5:00 PM Monday through Friday. The office takes walk-in appointments, but asks litigants to schedule an appointment for complex matters. The office maintains a website at <http://www.ioniacounty.org/FOC/fochome.asp> and hopes to add a public e-mail link sometime this year.

"... the best thing about the Michigan FOC System is its holistic approach, . . ."



Back row left to right: Jessica Gomez, Debra Stoner, Karen Kipp, Nancy Baldwin, Mary Wilson, Chris Gavitt, and Mary Izzard
Front row left to right: Donna Dorey, Suzanne Hoseth Kreeger, Julie Thoma, Carol Hummel, Jeff Radike, and Kelly Melton
Not present: Julie Zeigler

***Pundit* Polls**

The ***Pundit*** staff has developed a new feature that will appear in each issue. Short polls will assist us in developing features that meet the needs of our readers. Please take the time to participate. We will post the results, and a new survey, in the following next issue.

Which of the following best describes your field of expertise?

Friend of the Court

Child Support Specialist

Prosecutor

MiCSES

Other (employment related to child support)

Not employed in a child support related field